

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Mary W.,

Plaintiff,

vs.

Carolyn W. Colvin, Acting
Commissioner of the Social Security
Administration,¹

Defendant.

Case No.: 0:23-cv-6343-JD-JPG

ORDER

This social security matter is before the Court with the Report and Recommendation of United States Magistrate Judge Paige J. Gossett (“Report”) under Local Civil Rule 83.VII.02 of the District of South Carolina. Plaintiff Mary W.,² (“Plaintiff”) brings this action under 42 U.S.C. § 405(g), as amended, seeking judicial review of the final decision of Defendant Carolyn W. Colvin, Acting Commissioner of the Social Security Administration (“Defendant” or “Commissioner”),³ denying Plaintiff’s claims for Disability Insurance Benefits (“DIB”) under the Social Security Act (“Act”).

¹ Under Rule 25(d), Fed. R. Civ. P., Carolyn W. Colvin is substituted as the named defendant because she recently became the Commissioner of Social Security.

² The Committee on Court Administration and Case Management of the Judicial Conference of the United States has recommended that, because of significant privacy concerns in social security cases, federal courts should refer to claimants only by their first names and last initials.

A. Background

Plaintiff applied for DIB, alleging a disability onset date of August 11, 2018. (DE 9-5 at 2-3.) The application was denied initially and on reconsideration by the Social Security Administration. (DE 9-4 at 7-10, 12-13.) Plaintiff requested a hearing by an Administrative Law Judge (“ALJ”). (*Id.* at 17-18.) Plaintiff appeared with her counsel for a hearing before an ALJ on August 3, 2023. The ALJ issued an unfavorable decision on May 8, 2023, finding Plaintiff was not disabled from August 11, 2018, through the date of the decision. (DE 9-2 at 15-17.) On August 4, 2023, Plaintiff requested a review of the unfavorable decision. (DE 9-4 at 113-115.) The Appeals Council denied that request on October 23, 2023, making the ALJ’s decision the final decision of the Commissioner. (DE 9-2 at 2-4.) Plaintiff brought this action seeking judicial review of the Commissioner’s decision in a Complaint filed on December 7, 2023. (DE 1.)

B. Report and Recommendation

The Magistrate Judge issued the Report on November 8, 2024, recommending the Commissioner’s decision be reversed and remanded for further administrative action. (DE 16.) Neither party objected to the Report and Recommendation.

C. Legal Standard

In the absence of objections to the Report and Recommendation, this Court is not required to give any explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983). The Court must “only satisfy itself that there is no clear error on the face of the record in order to accept the


recommendation.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005).

D. Conclusion

After a thorough review of the Report and Recommendation and the record in this case, the Court finds that there is no clear error on the face of the record. Thus, the Court adopts the Report (DE 16) and incorporates it here by reference.

It is, therefore, **ORDERED** that the Commissioner’s decision is **REVERSED AND REMANDED** for further evaluation under sentence four of 42 U.S.C. § 405(g).

IT IS SO ORDERED.


Joseph Dawson, III
United States District Judge

January 9, 2025
Florence, South Carolina